

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
GREENEVILLE

MARY H. GRAHAM

V.

MICHAEL J. ASTRUE,
Commissioner of Social Security

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NO. 2:06-CV-180

REPORT AND RECOMMENDATION

Plaintiff's counsel has filed a Motion [Doc. 24] for approval of attorney fees under 42 U. S.C. § 406(b). The Commissioner has not opposed the Motion. Counsel was previously awarded a fee of \$1,500 under the Equal Access to Justice Act. That sum has been refunded to the plaintiff. \$18,078.00 of the plaintiff's past due benefits has been withheld by the Social Security Administration for counsel's fee. Counsel only requests a fee of \$12,500.00. It is respectfully recommended that counsel's Motion be GRANTED, and that he be allowed a fee of \$12,500.00.¹

Respectfully Submitted:

s/ Dennis H. Inman
United States Magistrate Judge

¹Any objections to this report and recommendation must be filed within ten (10) days of its service or further appeal will be waived. Thomas v. Arn, 474 U.S. 140 (1985); United States v. Walters, 638 F.2d 947-950 (6th Cir. 1981); 28 U.S.C. § 636(b)(1)(B) and (C).